UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SIMULA SAFETY SYSTEMS, INC., SEI DIVISION d/b/a SAFETY EQUIPMENT INTERNATIONAL d/b/a SEI 1/

Employer

Case No. 11-RC-6478

And

TEAMSTERS LOCAL 61, A/W INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AFL-CIO 2/

Petitioner

DECISION AND DIRECTION OF ELECTION

Upon a petition duly filed under Section 9*(c)* of the National Labor Relations Act, as amended, a hearing was held before a hearing officer of the National Labor Relations Board; hereinafter referred to as the Board.

Pursuant to the provisions of Section 3*(b)* of the Act, the Board has delegated its authority in this proceeding to the undersigned.

Upon the entire record in this proceeding, the undersigned finds:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.

2. The Employer is engaged in commerce within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction herein. 3/

3. The labor organization*(s)* involved claim*(s)* to represent certain employees of the Employer.

4. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9*(c)(1)* and Section 2*(6)* and *(7)* of the Act.

5. The following employees of the Employer constitute a unit appropriate for the purpose of collective bargaining within the meaning of Section 9*(b)* of the Act: 4/

All full-time and regular part-time manufacturing, maintenance, and product development employees, including parachute rigging technicians, quality rigger inspectors, general purpose technicians, sewing technicians, quality technicians, the production route card clerk, inventory/shipping/receiving clerks, maintenance technicians, manufacturing prototype technicians, and product development technicians employed by the Employer at its Asheville, North Carolina facility, but excluding all other employees, design technicians, design checkers, buyers, engineers, material coordinators, configuration specialists, office clerical employees, managers, and guards, professional employees and supervisors as defined in the Act.

DIRECTION OF ELECTION

An election by secret ballot shall be conducted by the undersigned among the employees in the unit*(s)* found appropriate at the time and place set forth in the notice of election to be issued subsequently, subject to the Board's Rules and Regulations. Eligible to vote are those in the unit(s) who were employed during the payroll period ending immediately preceding the date of this Decision, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. Also eligible are employees engaged in an economic strike which commenced less than 12 months before the election date and who retained their status as such during the eligibility period and their replacements. Those in the military services of the United States may vote if they appear in person at the polls. Ineligible to vote are employees who have quit or been discharged for cause since the designated payroll period, employees

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engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and employees engaged in an economic strike which commenced more than 12 months before the election date and who have been permanently replaced. Those eligible shall vote whether or not they desire to be represented for collective bargaining purposes by

Teamsters Local 61, A/W International Brotherhood of Teamsters, AFL-CIO

LIST OF VOTERS

In order to insure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties to the election should have access to a list of voters and their addresses that may be used to communicate with them. ***Excelsior Underwear, Inc.***, 156 NLRB 1236 *(1966)*; ***N.L.R.B. v. Wyman-Gordon Co.***, 394 U.S. 759 (1969). Accordingly, it is hereby directed that an election eligibility list, containing the full names and addresses of all the eligible voters, must be filed by the Employer with the Regional Director for Region 11 within 7 days of the date of this Decision and Direction of Election. ***North Macon Health Care Facility***, 315 NLRB 359, 361 (1994). The list must be of sufficiently large type to be clearly legible. The list may initially be used by me to assist in determining an adequate showing of interest. I shall, in turn, make the list available to all parties to the election only after I have determined that an adequate showing of interest among the employees in the unit found appropriate has been established.

In order to be timely filed, such list must be received in the Regional Office of the National Labor Relations Board, Region 11, 4035 University Parkway, Suite 200, P. O. Box 11467, Winston-Salem, North Carolina 27116-1467, on or before May 16, 2002. No extension of time to file this list may be granted except in extraordinary circumstances, nor shall the filing of a request for review operate to stay the filing of such list. Failure to comply with this requirement shall be grounds for setting aside the election whenever proper objections are filed. The list may be submitted by facsimile transmission. Since the list is to be made available to all parties to the election, please furnish a total of __two__ copies, unless the list is submitted by facsimile, in which case no copies need be submitted. To speed preliminary checking and the voting process itself, the names should be alphabetized (overall or by department, etc.).

If you have any questions, please contact the Regional Office.

RIGHT TO REQUEST REVIEW

Under the provisions of Section 102.67 of the Board's Rules and Regulations, a request for review of this Decision may be filed with the National Labor Relations Board, addressed to the Executive Secretary, 1099 14th Street, N.W., Washington, D.C. 20570. This request must be received by the Board in Washington by May 23, 2002.

Dated May 9, 2002

at Winston-Salem, North Carolina

/s/ Howard D. Neidig, Jr.
Acting Regional Director, Region 11

1/ The name of the Employer appears as amended at the hearing.

2/ The name of the Petitioner appears as amended at the hearing.

3/ The Employer, an Arizona corporation, with a facility located in Asheville, North Carolina, is engaged in the manufacture and non-retail sale of safety equipment for the military and the FBI as well as commercial users. During the past twelve months, the Employer, in the course and conduct of its business operations, purchased and received goods and materials valued in excess of $50,000.00 directly from points located outside the State of North Carolina.

4/ The Petitioner seeks to represent a unit comprised of 6 parachute rigging technicians and 2 quality rigger inspectors.[1] In contrast, the Employer argues that the petitioned-for unit is inappropriate and contends that in addition to the two classifications sought by the Petitioner, an appropriate unit must also include general purpose technicians (GPTs), sewing technicians, quality technicians, production route card clerk, inventory/shipping/receiving clerks, maintenance technicians, manufacturing prototype technicians, product development technicians, and the quality rigger inspector in another department. There are 8 employees in the petitioned-for unit; the Employer's proposed unit contains 75 employees. The Employer and the Petitioner have filed briefs which have been carefully considered.

Based on the record evidence, as set out more fully below, I conclude that the unit sought is inappropriate. Rather, I find that based on common supervision, common working conditions and benefits, similar skills between classifications, substantial interchange, and a high degree of functional integration, the appropriate unit consists of parachute rigging technicians, quality rigger inspectors, GPTs, sewing technicians, quality technicians, production route card clerk, inventory/shipping/receiving clerks, maintenance technicians, manufacturing prototype technicians, and product development technicians.

A. The Employer's Operations:

1. Introduction and Physical Layout

The Employer was formed in 1994. The employees at issue are either classified under 1) Manufacturing, Materials, Quality Assurance or 2) Product Development. The Employer manufactures products primarily in four categories: 1) tac air vests which are survival vests made to protect its wearers against chemical and biological agents; 2) flotation collars which are devices worn by pilots to provide buoyancy if they are in the water due to downed aircraft; 3) E2C parachutes which are made for crews in a high altitude E2C aircraft; and 4) P3 parachute which is an emergency bailout parachute for the P3 aircraft.

The Employer occupies approximately 55,000 square feet in a one-level facility. There is a parking lot used by all of the employees. An entrance leads into the front managerial offices and is used primarily by those employees. There is also an employee entrance used by all the

[1] The parties stipulated that the classification used in the Petitioner's petition—quality assurance rigger technician—is synonymous with quality rigger inspector.

other employees. There are two sets of bathrooms, one in the front office area, and another set in the manufacturing area. There is one breakroom area containing vending machines, and an adjacent outdoor smoking area used by all the employees.

The manufacturing area is largely open and there is no physical demarcation between project workspaces for the four projects. Thus, employees from different classifications and different projects share some of the same equipment and machinery. The manufacturing area is separated from the product development area by a wall.

An enclosed parachute loft (the Paraloft) opened around September 1999, and is located in the back of the manufacturing floor. The final assembly and packing of the E2C and P3 parachutes takes place in this room. The Paraloft is separated by a main door with a coded keypad. There is also a set of double doors on the other side of the Paraloft which is sometimes propped open, although the record offers contradictory evidence as to how often that occurs. Employees working in the Paraloft on a daily basis have access to the door code as do the employees who occasionally work in the Paraloft. The Paraloft is enclosed because it is important that temperature and humidity are controlled in order to maintain the integrity of the product.

2. Organizational and Supervisory Structure

Benny Roberts, Manufacturing Manager, oversees the Manufacturing, Materials, Quality Assurance, and Mark Trexler, Director of Product Development, has the identical responsibility over that area. As Manufacturing Manager, Roberts has ultimate responsibility for 6 parachute rigging technicians, 2 quality rigger inspectors, 14 GPTs, 29 sewing technicians, 8 quality technicians, 1 production route card clerk, 2 inventory/shipping/receiving clerks, and 2 maintenance technicians. Specifically, Roberts has ultimate authority over all of the employees regularly assigned to the Paraloft, with immediate, direct supervision over the quality rigger inspectors assigned to the Paraloft and the quality technicians.[2] Although Roberts does not directly supervise all the employees listed above, the record discloses that Roberts has substantial authority with respect to labor relations matters over all of the employees he supervises, directly or indirectly. Regarding day-to-day work duties, Roberts sets priorities. With respect to employees' annual performance appraisals which determine promotions and wage increases, Roberts rates the employees, makes comments as to their performance and recommendations for improvements. With respect to discipline, Roberts sometimes completes or reviews the counseling form, is present at the counseling session, and has input and/or ultimate approval regarding discipline of an employee. Roberts also has final authority in hiring and firing employees. Although employees are permitted to request certain starting times and break times, Roberts approves and sets those schedules for employees, as well as the lunch break schedule.

[2] Quality rigger inspectors and quality technicians report to Director of Continuous Improvement Lucinda Hodges only with respect to the ISO (quality) management system.

With respect to the manufacturing side, Geri East and Anita Scott are Production supervisors with East having first-level supervision over tac air, flotation, and P3 production lines, and Scott having first-level supervisory authority over the E2C production line. John Sales is the Acting Team Coordinator over the Paraloft operations. Tim Tweed directly supervises the two maintenance technicians. The two shipping/receiving/inventory clerks report to Sheila Jarvis, Materials Supervisor.[3] East, Scott, Sales, Tweed, and Jarvis are admitted 2(11) supervisors. The record does not disclose what specific supervisory indicia are exercised by East, Scott, Sales, Tweed, and Jarvis. The production route card clerk reports to Denise Harris, operations coordinator, but it is not clear whether Harris is a supervisor.[4]

On the product development side, Mark Trexler, Director of Product Development, has responsibilities which parallel those of Roberts over the remaining employees in the proposed unit. Thus, Trexler has ultimate authority over four product development technicians and one senior quality rigger inspector who report to David Aguilar, Engineering Lead. Trexler also has ultimate authority over four sewing technicians who report directly to Program Manager Gary King. Trexler directly supervises the two manufacturing prototype technicians and two sewing technicians.

3. Primary job functions: What follows is a brief description of the principal functions of each employee classification. No position requires a high school diploma or a GED, although that credential is preferred.

Parachute Rigging Technicians: There are 6 parachute rigging technicians and they are all assigned to the Paraloft. They are assigned to E2C and P3 projects. Their primarily function is to assemble, pack, seal, and close a parachute system. Parachute rigging technicians are required to be FAA certified which requires that a person pack at least 20 parachutes under appropriate supervision of the type for which he or she seeks a rating, and pass a written, oral, and practical test.

Quality Rigger Inspectors: There are 3 quality rigger inspectors. Two are assigned to the Paraloft and their primary function is to inspect parachute assembly and packing. One is assigned to Product Development and performs duties similar to the quality rigger inspectors in the Paraloft; he is just in a different department. All 3 employees are also required to be FAA certified as discussed above.

General Purpose Technicians (GPTs): There are 14 GPTs who are assigned to all four projects. One of those is assigned permanently to the Paraloft and that individual works on E2 and P3 projects. GPTs spend most of their time cutting, marking, and assembling products. GPTs also expedite materials, which means that they move things from one place to another, including the Paraloft, on a daily basis. GPTs also move finished products from the

[3] The record reflects that Roberts' role with respect to the inventory/shipping/receiving clerks in terms of day-to-day activity and discipline is considerably limited compared to the other classifications under his authority.
[4] No evidence was offered concerning Harris' supervisory status. The Petitioner seeks to exclude Harris and the Employer offered no position on Harris' inclusion or exclusion from the unit. In these circumstances, I shall permit Harris to vote subject to challenge.

production area, including the Paraloft. When production requirements are high, GPTs do "kiting" in the Paraloft which is gathering the components of a parachute canopy prior to packing, as well as assembly work.

Sewing Technicians: There are 33 sewing technicians who work for all four projects under Manufacturing as well as Product Development. Sewing technicians use industrial machines to sew products. Sewing technicians performance maintenance functions which include oiling their machines, changing needles, and changing bobbins. One sewing technician has a permanent assignment in the Paraloft. There are also four other sewing technicians who occasionally are assigned to the Paraloft if the regular sewing technicians is ill or on vacation, or depending on production needs.

Quality Technicians: There are eight quality technicians. Quality technicians work on all four projects. Quality technicians inspect the work of GPTs and sewing technicians by comparing partially assembled work and completed products to ensure that they are properly done. If there is a problem with the work, it has to be redone. One quality technician ordinarily has the responsibility of inspecting the canopy assembly in the Paraloft. If that quality technician is not available, that function may be performed by quality rigger inspectors, discussed below.

Production Route Card Clerk:
There is one production route card clerk. The production route card clerk generates initial paperwork that accompanies products throughout the productions process: a routing slip and an instruction sheet. The production route card clerk also distributes time sheets and notices that come from Human Resources.

Inventory/Shipping/Receiving Clerks: There are two inventory/shipping/receiving clerks who receive all non-government furnished materials which come into the loading dock. They verify what the product is, then take it to receiving inspection, and finally what is referred to as "stores." Thereafter, employees and supervisors directly requisition materials from them at the "Stores," and they deliver it to the manufacturing area. They also are responsible for shipping items to customers.

Maintenance Technicians: There are two maintenance technicians. They maintain machines and equipment. They have also built tables used in the manufacturing process and have built and maintained hot wire equipment utilized by employees for all four projects.

Product Development Technicians: There are four product development technicians. They work on all four projects. They work closely with design engineers on new products that are being developed, or existing products that need to be improved, or on products that the customer wants changed. In their work they use computers, or actually cut, sew, and test the redesign of products.

Manufacturing Prototype Technicians: There are two manufacturing prototype technicians. They build and design fixtures, templates or other tooling aides to be used by employees in

the production process. Fixtures are a wooden or metal aid that allows an employee to have a guide in marking or cutting fabric or other materials. Templates are metal pieces that are a full size pattern of what is being made, and are used to mark or cut components which are being sewn together. Tooling aids are informal pieces of equipment such as a piece of metal to help mark, position, or hold down something. These items are used by employees in the manufacturing process as well as the Paraloft.

4. The manufacturing process:

The manufacturing process for all four products has certain similarities. Generally during the manufacturing process items are marked, cut, assembled, sewn, inspected and put together into a final product for shipping. Prior to the manufacturing process, product development technicians seek to improve or design products and manufacturing prototype technicians design tools to be used in the production process.

For tac air and flotation, when an order is placed, a work authorization is delivered to Roberts who distributes that work order to the proper supervisor. The production route card clerk prepares route cards and instruction sheets which follow the product during the production process. At each step of the process the route card is signed by the employee performing the particular task. Route sheets and instructions are initially given to GPTS who cut, mark, and assemble various components. Those items are then delivered to sewing technicians who continue following the instructions. Each subassembly or partial product is inspected by a quality technician. A subassembly is a portion of a completed project, which in turn gets attached to other subassemblies until it is completed. Once a subassembly is completed it is sent back to the beginning of the process to be joined with other components until the product is completely finished.

The E2C and P3 parachute projects are similar to flotation and tac air. The various components for the parachute are manufactured on the production floor primarily by GPTs and sewing technicians. Once the components of the parachutes are completed, they are assembled and packed in the Paraloft. In this process, the 10 employees permanently stationed in the Paraloft—1 sewing technician, 1 GPT, 6 parachute rigging technicians and 2 quality rigger inspectors—are regularly assisted by other employees including additional GPTs, sewing technicians, and quality technicians.

The Paraloft operations consist of assembling, packing, sealing, and closing the parachute system. The first thing that occurs in the Paraloft is assembly of the canopy of the parachute. Canopies are not manufactured on-site but come from various vendors. Various components manufactured on the floor are attached by GPTs or parachute rigging technicians by using loose hand stitching, as well as other methods.[5] Following canopy assembly and hand stitching the item goes to the sewing technician in the Paraloft. There is 1 sewing technician assigned to the Paraloft. However, as many as 4 other sewing technicians can do this same function if the

[5] In the past when production needs have been high, only GPTs, not parachute rigging technicians, performed assembly work. GPTs are not doing assembly work at the present time because production has slowed.

regularly assigned Paraloft sewing tech is sick or on vacation or if production demands are heavy.[6]

Next a parachute rigger technician or GPT places an identification stamp on the product before it is packed. A parachute rigging technician lays out, folds, and inserts a parachute into a deployment bag. A GPT may help with this process by laying out the canopy and parachute components—a process called kiting. After the parachute is packed it goes to canopy seal where it is inserted into a vacuum package assembly. The GPT permanently assigned to the Paraloft makes the bag and bag assembly for E2C and P3 parachutes. The final step involves putting the vacuum assembly into a container harness assembly and closing the unit. The parachute remains on a shelf in the Paraloft until a Government inspector buys the products off the shelf.

At different points in the process GPTs may assist by expediting of materials as described above. There are also numerous inspections during the process. A quality technician normally performs the inspections following canopy assembly and sewing. Quality rigger inspectors may perform the function if the quality tech is sick, on vacation, or unavailable for some other reason.[7] Quality rigger inspectors perform other inspections during the process.

5. Work-related Contact, Temporary Interchange, and Transfers

The record also shows that there is significant work-related contact and interchange between the petitioned-for unit and other classifications during the process of parachute assembly and packing. As shown above, in performing their primary functions, parachute rigger technicians and quality rigger inspectors come into frequent contact with other classifications inside the Paraloft, including the 1 GPT and 1 sewing technician permanently stationed in the Paraloft, as well as additional sewing technicians and GPTs and quality technicians. Significantly, quality technicians and GPTs routinely aid in the assembly and packing process by performing some parachute rigger and quality rigger inspection tasks. The record shows that the time spent by non-parachute rigging technicians and non-quality rigger inspectors on activities inside the Paraloft between January 2000, and April 2002, was 18,528 hours. The largest concentration of work hours was in canopy assembly totaling 14,143 hours. Those numbers reflect time spent by the sewing technician and GPT permanently stationed in the Paraloft as well as other employees who regularly work on the production floor but perform work assignments in the Paraloft. The record reflects that a total of 56 employees have performed activities in the Paraloft in addition to Parachute rigging technicians and quality rigger inspectors over this two year and three month period.

The reverse is also true. That is, parachute rigging technicians and quality rigger inspectors have also performed non-parachute rigging and non-quality rigger inspector tasks on the production floor. This primarily occurs because of production needs. The records shows that during the period January 2000, through April 12, 2000, parachute rigging technicians spent a total of 642

[6] For example, up until December 2001, for about one year, production needs were very high in the Paraloft and additional sewing technicians were assigned to the Paraloft at the end of every month.
[7] The record also indicates that the quality rigger inspector from Product Development also performs inspections after canopy assembly and sewing.

hours on the production floor performing jobs such as packing floatation collars and engaging in other GPT functions. The record also shows that quality rigger inspectors, during the relevant time period, also spent 318 hours outside the Paraloft. Some of those activities included sewing and GPT functions.

In addition, there are a number of instances of temporary interchanges between other classifications. The Employer has a strong emphasis on cross training because employees are often required to move from their regularly assigned work duties to different work assignments because of production needs. As examples, P3 sewing technicians have gone into the Tac-Air line. Sewing technicians from all four products have performed GPT functions, depending on production needs, anywhere from a daily basis if things are slow to a monthly basis if things are going well. As another example, in addition to GPTs who normally perform the function of packing floatation collars, employees from several classifications including quality rigger inspector (from both Product Development and Manufacturing), quality technician, and product development technician have packed flotation collars.[8]

There have also been permanent transfers from parachute rigging technician and quality rigger inspector positions to other positions and vice versa. Two employees transferred from the production floor to parachute rigging technician positions. Thus, one former employee initially worked at the Employer as a maintenance technician. After receiving certification, he became a parachute rigging technician. Another employee transferred from a GPT position to a parachute rigging technician position after receiving certification. The record also shows that employees have transferred from parachute rigging technician and quality rigger inspector positions to other positions. Thus, one employee moved from a parachute rigging position to a product development technician position. Another employee transferred from a quality rigger inspector position in the Paraloft to the quality rigger position in Product Development where he does similar work. These transfers have all occurred within the past two years. The transfers are more significant than they initially appear given the small number of personnel in the classifications of parachute rigging technician and quality rigger inspector. The records also shows that over the last 3 ½ years, at least 10 other employees in other classifications in Manufacturing and Product Development have transferred to other positions, some of them more than once.

6. Working conditions and Benefits

All employees in the disputed classifications share the same terms and conditions of employment. Employees undergo the same hiring process, the same orientation, and are subject to a 90 day probationary period. Employees are evaluated once a year in January. Employees are subject to the same policies and discipline procedure and the company's open-door policy is available to all employees. Employees attend quarterly group meetings of all employees and occasional small group meetings. Employees are also invited to the annual company picnic and Thanksgiving and Christmas meals.

[8] In order to pack flotation collars, employees must be certified. The quality rigger inspector from Product Development does the training for the certification.

The same benefits and policies are applicable to all employees. The Employer's hours of operations are Monday through Friday, in 8 hour shifts with multiple start times ranging from 6:30 a.m. to 8:00 a.m. All employees receive two 15 minute breaks which are staggered, as well as a lunch break which is also staggered.

All employees punch the same time clock, are hourly paid, and paid on a weekly basis. All employees have the opportunity to volunteer for overtime. The pay ranges are as follows: 1)sewing technicians: $8.20-$10.56 per hour; 2) GPTs: $7.93 - $10.07 per hour; 3) parachute rigging technicians: $14.00-$16.03 per hour; 4) quality technicians: $9.79-$12.73 per hour; 5) quality rigging inspectors: $15.04 - $16.59; 6) product development technicians: $17.47-$26.44 7) Manufacturing prototype technicians: $10.78-$13.45; 8) maintenance technicians: $11.55-$14.85 per hour; 9) inventory/shipping/receiving clerks: $10.30-$11.10 per hour; and 10) production route card clerk: $10.75 per hour.

Employees receive the same benefits as follows: medical, dental insurance, life insurance, short and long term disability, stock purchase plan, tuition reimbursement program, 401(k), jury duty, military leave, eye care discount, attendance bonus, and bereavement benefit. Employees also receive the same holidays, paid vacation, and sick leave.

There are some differences between the terms and conditions of employment of the employees who work in the Paraloft as compared to other areas. In the Paraloft, employees are not allowed to have food or drink after crossing over the "zebra line" which is located just inside the entrance of the Paraloft. The only jewelry allowed in the Paraloft is smooth wedding bands. Both rules are designed to ensure the integrity of the product. By contrast, employees on the production floor are allowed to eat hard candies but not items that crumble such as crackers, and drinks are required to have lids. Employees may also wear jewelry, but not dangling items that could get caught in machinery. Employees with long hair must tie it back and those with beards must gather them up in a scrunchie. No employees are required to wear uniforms.

B. Analysis

Regarding unit determinations, Section 9(b) of the Act provides that the Board "shall decide in each case whether . . . the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof . . . ." It is well-established that the Board need only determine whether the petitioned-for unit is an appropriate unit, even though it may not be the only appropriate unit, or most appropriate unit. Harron Communications, 308 NLRB 62, 63 (1992). The starting point in making unit determinations is to examine the unit sought by the Petitioner. Dezcon, Inc., 295 NLRB 109, 111 (1989). If that unit is appropriate, the inquiry ends. Id.

In analyzing whether a unit is appropriate, the Board examines the "community of interest" of the particular employees involved, including the nature of supervision; working conditions and benefits; difference in training and skills; interchange of employees; functional integration; history of bargaining and extent of organization. Vincent M. Ippolito, Inc., 313 NLRB 715, 717

(1994) (citing Kalamazoo Paper Box Corp., 136 NLRB 134 (1962)), enforced mem. 54 F.3d 769 (3d Cir. 1995). In the context of a single manufacturing plant or facility, although a plant-wide unit is presumptively appropriate, a separate unit may be found appropriate when there is a "readily identifiable group with common interests distinct from other employees." Bartlett Collins Company , 334 NLRB No. 76, slip op. at 2-3 (2001)(separate unit of mold-repair and mold-cleaning employees appropriate rather than broader unit including production employees; the employees performed a distinct function, were physically located in the basement of the employer's manufacturing facility, were separately supervised, had limited contact with other employees, and the record showed limited transfers into the mold department from other departments and no temporary interchange). However, "organization by department or classification is not favored." Evening News, 308 NLRB 563, 567 (1992). See generally Chromalloy Photographic Industries, 234 NLRB 1046, 1046-1047 (1978) (separate unit of camera repair and maintenance employees inappropriate—no showing that they posses a community of interest sufficiently distinct from other production and maintenance employees).

While I find that the parachute rigging technicians and quality-rigger inspectors have some interests in common, I do not find, as described below, that their interests are so separate and distinct as to warrant a separate unit. In so finding, I observe initially that the petitioned-for unit of parachute rigging technicians and quality rigging inspectors are all employees located in the Paraloft. However, the petitioned-for unit does not even include the sewing technician and GPT who are permanently assigned to the Paraloft. Nor does the petitioned-for unit include the quality rigging inspector in Product Development.

In concluding that a more comprehensive unit is required, I note that there is common supervision between the petitioned-for unit and some of the disputed classifications. Thus, Manufacturing Manager Roberts has immediate, direct supervision over the quality rigger inspectors assigned to the Paraloft as well as the quality technicians. In addition, Roberts has the ultimate responsibility for all of the other employees on the manufacturing side including the sewing technicians, GPTs, parachute rigging technicians, quality technicians, maintenance technicians, inventory/shipping/receiving clerks, and the production route card clerk. The record shows that Roberts' authority with respect to labor relations is far-ranging in terms of hiring, firing, disciplining, scheduling, appraising, and setting priorities. In addition, I observe that Director of Product Development Trexler supervises employees in some of the same classifications on the Product Development side; specifically, sewing technicians and the quality rigger inspector.

As further shown above, all employees receive the same benefits, are subject to the same policies, and their terms and conditions of employment are substantially the same. In addition, because all of the employees share the same parking lot, breakroom and bathroom facilities, a common entrance, and attend group meetings, there is frequent opportunity for contact among all of the employee classifications.

The record demonstrates that many of the employees have similar skills and utilize similar equipment to carry out their duties. For example, in addition to sewing technicians, product development technicians, manufacturing prototype technicians, parachute technicians, quality

rigger inspectors, and GPTs also perform sewing functions. As another example, most sewing technicians are cross trained and can cut, mark, assemble, and perform other GPT functions. In the Paraloft, a quality technician performs some of the same functions as quality rigger inspectors, such as canopy assembly inspection and the sewing inspection. Also in the Paraloft, a GPT performs some of the same functions as a parachute rigging technician, such as canopy assembly and kiting. The record also shows that employees across classifications also use the same type of equipment. As noted above, employees who sew use scissors, needles, and sewing machines. Parachute rigging technicians and GPTs use tools such as torque wrenches and finger trapping tools. Sewing technicians, GPTs, and quality technicians all use templates in their work. These are but a few examples of the same skills and same equipment being utilized across classifications.

The substantial work-related contact and interchange shown above compels the conclusion that the Employer's operations are highly integrated. Along those lines, I note that all four projects utilize GPTs, sewing technicians, quality technicians in the manufacturing process and in an ancillary fashion, manufacturing prototype technicians, product development technicians, maintenance technicians, product route card clerk, and inventory/shipping/receiving clerks. As shown, employees are frequently shifted due to workload fluctuations and employees regularly perform tasks outside their immediate classification.

In that regard, I find that the employees performing ancillary functions to the manufacturing process, namely the inventory/shipping/ receiving clerks, the production route card clerk, the product development technicians and the manufacturing prototype technicians are appropriately included in a production and maintenance unit especially as they share the same terms and conditions of employment as production employees and are part of the Employer's integrated production process. Inventory/shipping/receiving clerks receive and distribute materials which are used in the production process. Among other things, the production route card clerk prints route cards and work instructions for all projects. I conclude that the inventory/shipping/receiving clerks and production route card clerk's functions are those of plant clericals who are normally included in production and maintenance units as their work duties are "integral to the functioning of the production operation." Broyhill & Associates, 298 NLRB 707, 712, enforced mem. 911 F.2d 819 (D.C. Cir. 1990). The two maintenance employees perform maintenance on all product lines. See generally Scripto Manufacturing Co., 65 NLRB 222, 224 (1946)(maintenance employees customarily included in production units). Similarly, product development technicians and manufacturing prototype technicians perform functions which are necessary precursors to the production process—improvements or changes to products and the development of tools—which facilitate the manufacturing process. See generally Peco Energy Co., 322 NLRB 1086, 1086-1087 (1997) (designers whose drawings are used to modify plant equipment properly included in production and maintenance unit).

Based on the foregoing factors and the entire record, I conclude that the parachute rigging technicians and quality rigger inspectors do not constitute a homogenous grouping of employees with a community of interest sufficiently distinct from other employees in the overall unit to constitute an appropriate unit sought by the Petitioner. In so concluding, I note that there is no bargaining history. I have also considered the extent of the Petitioner's organization. Rather, I

rely on the myriad instances of employees working outside of their classifications, the inter-relatedness of the work being performed, similar skills among employees, common supervision, and the same working conditions and benefits. See The Boeing Co., 337 NLRB No. 24, slip op. at 1-2 (2001) (unit of recovery and modification employees (RAM) standing alone inappropriate despite separate work area, separate supervision, and separate employee meetings; unit of RAM, engine support equipment (ESE) and repair of repairables (ROR) employees appropriate in light of "the highly integrated work force, similarity in training and job functions between RAM and ESE employees, and the comparable terms and conditions of employment among all three groups"); Consolidated Cement Corp., 117 NLRB 492, 492-493 (1957) (unit of plant employees standing alone inappropriate; unit of plant employees and employees in adjacent quarry appropriate in light of interchange of personnel and equipment, functional integration, and common control of labor relations).

The Petitioner asserts that the pay range of parachute rigger technicians and quality rigging inspectors distinguishes them from other employees. However, of all of the disputed classifications, product development technicians make the highest wages. Although there is a $10 per hour differential between the lowest paid and the highest paid workers' base rates, I also note that the high end of the salary range for quality technicians, manufacturing prototype technicians, and maintenance technicians is fairly close to the starting range for parachute rigging technicians.

The Petitioner's further attempts to distinguish the petitioned-for unit of parachute rigging technicians and quality rigger inspectors from other employees are unavailing. First, the petitioner argues that the petitioned-for employees work in a distinct work area. This contention is without merit, for, as set forth above, the parachute rigging technicians and quality rigger inspectors are not segregated from other employees when they perform their duties inside the Paraloft. Thus, other classifications of employees—including the GPT and sewing technician permanently stationed in the Paraloft—as well as other GPTS, quality technicians, and sewing technicians regularly work in the Paraloft. Moreover, parachute rigging technicians and quality rigger inspectors work outside the Paraloft as well.

In a similar vein, the Petitioner asserts that employees are forbidden from eating and drinking once they pass the "zebra line" in the Paraloft whereas employees in all other areas of the facility do not have the same restriction. Likewise, the Petitioner argues that the Paraloft has a keypad security door which separates the Paraloft employees from other employees. However, the record shows that other employees who work inside the Paraloft, including those on a temporary basis, also have the door code. Moreover, the other entrance to the Paraloft is occasionally propped open. In any event, Petitioner's arguments fail because they do not establish that there are unique terms and conditions applicable only to the petitioned-for unit of parachute rigging technicians and quality rigger inspectors. Rather, those conditions apply to all employees stationed in the Paraloft on a permanent or temporary basis.

Contrary to the Petitioner, although parachute quality technicians and quality rigger technicians are the only employees required to be FAA certified, and they are the only persons who can perform some of the parachute tasks, I find that this certification requirement does not outweigh

the other considerations shown above. As shown, other employees can and do perform some of the tasks of parachute rigging technicians and quality rigger inspectors. I also find it significant that of the 15 current and former parachute rigging technicians and quality riggers inspectors, 9 received their certification after hire with the Employer, and four of those had no relevant prior experience.[9]

Finally, I am not persuaded by the Petitioner's contention that the responsibility of parachute rigging technicians and quality rigger inspectors distinguishes them from other classifications. Petitioner argues that if the petitioned-for classifications make a mistake in their work, a parachute jumper can die. However, all the products involve safety considerations, and I note that throughout the production process for each item, each employee responsible for doing any part of the work signs the route card. Thus, all employees show a high degree of accountability for their work.

Inasmuch as the unit found appropriate herein is larger than that sought by the Petitioner, and the Petitioner has indicated its willingness to participate in an election in a larger unit than that sought, I shall allow the Petitioner 14 days from the date of this decision, in which to submit the additional showing of interest necessary.

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[9] The Employer pays the costs for employees who achieve their certification while employed at the Employer's.